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7 Attorneys for Defendant FEDERICO MORAN

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 * * *

11 UNITED STATES OF AMERICA,)	2:10-cr-00575-JDM-LRL
)	
12 Plaintiff,)	
)	
13 FREDERICO MORAN, a.k.a.,)	<u>MOTION TO WITHDRAW AS</u>
14 Rodrigo Castellon-Huizar, and)	<u>COUNSEL</u>
)	
15 Defendants.)	

16 COMES NOW, MICHAEL L. BECKER, ESQ., counsel of record for Defendant
17 FEDERICO MORAN, and moved this honorable court to allow him to withdraw as counsel of
18 record, and to allow for the substitution of a new appointed counsel to review the records to
19 prepare a possible appeal.

20 On or about December 3, 2011, counsel was retained to represent Moran in the above
21 referenced case. On May 20, 2011, Moran plead guilty to Conspiracy to Distribute
22 Methamphetamine. On October 5, 2011, Moran was sentenced to 151 months in prison by the
23 court.

24 On October 14, 2011, counsel filed a timely notice of appeal at the request of Moran.
25 Counsel now seeks to withdraw from the instant matter because if Moran does appeal, one issue
26 would be ineffective assistance of counsel, which would be an obvious conflict of counsel to file.
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1 Defendant is also indigent and requests the appointment of new counsel for Moran for the
2 purposes of appeal.

3 Therefore in the interest of justice new counsel should be appointed for the purposes of
4 appeal.

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6 Defense counsel was retained and is requesting this court allow him withdrawal from the
7 instant case, for the aforementioned reasons.

8 Accordingly, counsel for defendant Moran requests that the court enter an order granting
9 the Motion to Withdraw. Defendant is indigent and requests the appointment of new counsel for
10 Moran for the purposes of appeal.
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13 Respectfully submitted.

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20 FREDERICO MORAN

21 **ORDER**

22 IT IS HEREBY ORDERED that the Motion to Withdraw as Counsel (#114) is granted.
23 IT IS FURTHER ORDERED that a new CJA attorney shall be appointed for purposes
of Appeal. Dated this 21st day of October, 2011.

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26 Cam Ferencbach
27 U.S. Magistrate Judge
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MICHAEL L. BECKER, being first duly sworn deposes and says:

1. That he is an attorney licensed to practice law in the State of Nevada and in the Federal District of Nevada and was retained counsel for the defendant, **FREDERICO MORAN**.
2. That he filed a timely Notice of Appeal on behalf of Moran on October 14, 2011.
3. That if Moran does in fact appeal, one issue would be ineffective assistance of counsel.
4. That counsel cannot represent this defendant on appeal because of this conflict, and thus new counsel should be appointed for the purpose of appeal.

1. *Journal of the American Medical Association*, 1997; 277: 1039-1043.

 **NOTARY PUBLIC**
STATE OF NEVADA
County of Clark
JENNIFER ALEMAN
Appt. No. 10-2116-1
My Appt. Expires April 8, 2014